



General Assembly

## ***Amendment***

January Session, 2015

LCO No. 7378



Offered by:

SEN. FASANO, 34<sup>th</sup> Dist.

SEN. WITKOS, 8<sup>th</sup> Dist.

To: Subst. Senate Bill No. **1114**

File No. 742

Cal. No. 433

### ***"AN ACT CONCERNING THE COMMISSION ON RACIAL AND ETHNIC DISPARITY IN THE CRIMINAL JUSTICE SYSTEM."***

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. Section 18-98e of the general statutes is repealed and the  
4 following is substituted in lieu thereof (*Effective October 1, 2015*):

5 (a) Notwithstanding any provision of the general statutes, any  
6 person sentenced to a term of imprisonment for a crime committed on  
7 or after October 1, 1994, and committed to the custody of the  
8 Commissioner of Correction on or after said date, except a person  
9 sentenced for a violation of section 53a-54a, 53a-54b, 53a-54c, 53a-54d,  
10 53a-55, 53a-55a, 53a-70a, 53a-70c or 53a-100aa, or is a persistent  
11 dangerous felony offender or persistent dangerous sexual offender  
12 pursuant to section 53a-40, may be eligible to earn risk reduction credit  
13 toward a reduction of such person's sentence, in an amount not to

14 exceed five days per month, at the discretion of the Commissioner of  
15 Correction for conduct as provided in subsection (b) of this section  
16 occurring on or after April 1, 2006.

17 (b) An inmate may earn risk reduction credit for adherence to the  
18 inmate's offender accountability plan, for participation in eligible  
19 programs and activities, and for good conduct and obedience to  
20 institutional rules as designated by the commissioner, provided (1)  
21 good conduct and obedience to institutional rules alone shall not  
22 entitle an inmate to such credit, and (2) the commissioner or the  
23 commissioner's designee may, in his or her discretion, cause the loss of  
24 all or any portion of such earned risk reduction credit for any act of  
25 misconduct or insubordination or refusal to conform to recommended  
26 programs or activities or institutional rules occurring at any time  
27 during the service of the sentence or for other good cause. If an inmate  
28 has not earned sufficient risk reduction credit at the time the  
29 commissioner or the commissioner's designee orders the loss of all or a  
30 portion of earned credit, such loss shall be deducted from any credit  
31 earned by such inmate in the future.

32 (c) The award of risk reduction credit earned for conduct occurring  
33 prior to July 1, 2011, shall be phased in consistent with public safety,  
34 risk reduction, administrative purposes and sound correctional  
35 practice, at the discretion of the commissioner, but shall be completed  
36 not later than July 1, 2012.

37 (d) Any credit earned under this section may only be earned during  
38 the period of time that the inmate is sentenced to a term of  
39 imprisonment and committed to the custody of the commissioner and  
40 may not be transferred or applied to a subsequent term of  
41 imprisonment. In no event shall any credit earned under this section be  
42 applied by the commissioner so as to reduce a mandatory minimum  
43 term of imprisonment such inmate is required to serve by statute.

44 (e) Prior to release of any inmate whose sentence is being reduced  
45 due to risk reduction credits earned pursuant to this section, the

46 warden of the correctional facility from which such inmate is to be  
47 released, shall review such inmate's records and verify that the inmate  
48 earned the risk reduction credits being applied to reduce such inmate's  
49 sentence.

50 [(e)] (f) The commissioner shall adopt policies and procedures to  
51 determine the amount of credit an inmate may earn toward a  
52 reduction in his or her sentence and to phase in the awarding of  
53 retroactive credit authorized by subsection (c) of this section."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	October 1, 2015	18-98e